

Board regarding Order No. 71-16 of the California Regional Water Quality Control Board, Santa Ana Region establishing waste discharge requirements for the City of Fontana. The petition requests the State Board to stay the effects of the order and to find the Regional Board action was inappropriate and improper.

The petition also alleges that the Regional Board failed to comply with the requirements of the Environmental Quality Act of 1970 in that the Board failed to receive and/or consider an environmental report with respect to the order.

The State Board finds that:

1. The petitioner did not allege facts indicating that a stay of the Regional Board order is necessary to prevent irreparable injury or hardship or would otherwise be in the public interest.

2. The Environmental Quality Act (Public Resources Code Sec. 21000 to 21151) does not require the Regional Board or the discharger to prepare an environmental impact statement prior to issuance of waste discharge requirements.

3. The appropriateness of the Regional Board's requirements contained in Order No. 71-16 should be reviewed to determine whether the requirements are fully consistent with the water quality control plan for the Santa Ana Region.

IT IS HEREBY ORDERED that:

1. The request for a stay of the Regional Board order by the Orange County Water District is denied.

2. The request for the preparation of an environmental impact statement pursuant to the Environmental Quality Act is denied.

3. The State Water Resources Control Board will review the appropriateness of the Regional Board's requirements contained in Order 71-16. If a hearing is required, the parties will be notified.

Adopted as the order of the State Water Resources
Control Board at a meeting duly called and held at Sacramento,
California.

Dated: May 4, 1972

W W Adams
W. W. Adams, Chairman

E. F. Dibble
E. F. Dibble, Vice Chairman

Ronald B. Robie
Ronald B. Robie, Member

Roy E. Dodson
Roy E. Dodson, Member